



#### UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ADVANCE MAGAZINE PUBLISHERS INC. d/b/a THE CONDÉ NAST PUBLICATIONS,

Plaintiff,

CIVIL ACTION NO.: 1:05-cv-07516-(KMK)(DFE)

V.

ACTIV8NOW, LLC and ACTIVE8MEDIA,

NOTICE OF MOTION

Activ8now: and Active8media,

v.

ADVANCE PUBLICATIONS, INC. and RICHFX, INC.,

Third Party Defendants

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PLEASE TAKE NOTICE that, upon the annexed Declaration of Robert E. Hanlon in support of this motion, and the Declaration of George Medlock, Jr. and the Certificates of Good Standing annexed thereto, the undersigned will move this Court, before the Honorable Kenneth M. Karas, United States District Judge, in the United States Courthouse, 500 Pearl Street, New York, New York 10007, on the 26th day of May, 2006 at 10 a.m., or as soon thereafter as counsel can be heard, for an order pursuant to Rule 1.3(c) of the Local Civil Rules of the United States District Court for the Southern District of New York granting the admission pro hac vice of George Medlock, Jr., thereby permitting him to argue or try the above-captioned matter, in whole or in part, on behalf of Third Party Defendant RichFX, Inc. George Medlock, Jr., of Alston & Bird

LLP, located at One Atlantic Center, 1201 West Peachtree Street, Atlanta, GA 30309, is a member in good standing of the Bar of the State of Georgia and the Bar of the District of Columbia. There are no pending disciplinary proceedings against George Medlock, Jr. in any State or Federal court.

WHEREFORE, counsel respectfully requests that this Court enter the attached Order granting this unopposed motion to admit George Medlock, Jr. *pro hac vice* as counsel to Third Party Defendant, RichFX, Inc.

Dated: New York, New York May /, 2006

Respectfully submitted, ALSTON & BIRD LLP

Robert E. Hanlon 90 Park Avenue New York, NY 10016 (212) 210-9400

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Attorneys for Third Party Defendant, RichFX,

Inc.

TO: Randy Lipsitz, Esq.
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## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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ADVANCE MAGAZINE PUBLISHERS INC. d/b/a THE CONDÉ NAST PUBLICATIONS,

Plaintiff,

CIVIL ACTION NO.: 1:05-cv-07516-(KMK)(DFE)

v.

ACTIV8NOW, LLC and ACTIVE8MEDIA, :

Defendants Counterclaimants Activ8now: and Active8media, DECLARATION OF ROBERT E. HANLON

v.

ADVANCE PUBLICATIONS, INC. and RICHFX, INC.,

Third Party Defendants

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ROBERT E. HANLON hereby declares under penalty of perjury:

- I am an attorney at law, duly admitted to practice before the courts of the State of New York and the United States District Court for the Southern District of New York.
- 2. I respectfully submit this Declaration in support of the motion made by Third Party Defendant, RichFX, Inc., pursuant to Rule 1.3(c) of the Local Civil Rules of the United States District Court for the Southern District of New York for an order permitting George Medlock, Jr., Esq. to argue or try this action in whole or in part.
  - 3. I am fully familiar with all of the relevant facts and circumstances herein.

- I am a Partner in the law firm of Alston & Bird LLP, 90 Park Ave., New York, NY 10016, which is counsel to Third Party Defendant, Rich FX, Inc., in the abovecaptioned matter.
- 5. George Medlock is an Associate in the law firm of Alston & Bird LLP. One Atlantic Center, 1201 West Peachtree Street, Atlanta, GA 30309.
- 6. George Medlock, Jr. is an attorney duly admitted to practice in the State of Georgia and the District of Columbia. The Declaration of George Medlock and Certificates of Good Standing are attached hereto.
- 7. There are no pending disciplinary proceedings against George Medlock, Jr. Esq. in any State or Federal Court. He is prepared to faithfully comply with all rules of conduct applicable to lawyers admitted to practice in the Southern District of New York and in connection with any activities in this Court.
- 8. Accordingly, I respectfully request that this Court permit George Medlock, Jr. Esq. to appear pro hac vice on behalf of Third Party Defendant, RichFX, Inc., for all purposes in connection with the above captioned matter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May , 2006

Robert E. Hanlon

#### UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ADVANCE MAGAZINE PUBLISHERS INC. d/b/a THE CONDÉ NAST PUBLICATIONS,

Plaintiff,

v.

ACTIV8NOW, LLC and ACTIVE8MEDIA, :

**Defendants Counterclaimants** Activ8now: and Active8media,

v.

ADVANCE PUBLICATIONS, INC. and RICHFX, INC.,

Third Party Defendants

CIVIL ACTION NO.: 1:05-cv-07516-(KMK)(DFE)

DECLARATION OF GEORGE MEDLOCK, JR.

**GEORGE MEDLOCK, JR.** hereby declares under penalty of perjury:

- 1. I am an Associate with the law firm of Alston & Bird LLP.
- 2. My offices are located at One Atlantic Center, 1201 West Peachtree Street, Atlanta, GA 30309.
- 3. I have associated with Robert E. Hanlon, a Partner with the law firm of Alston & Bird LLP, located at 90 Park Avenue, New York, New York 10016, to ensure compliance with all federal and local rules, practices and customs applicable in this Court.
- 4. I submit this declaration in support of RichFX, Inc.'s motion for my admission to practice pro hac vice in this Court in the above-captioned matter.

- 5. As shown in the Certificates of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of Georgia and the Bar of the District of Columbia.
- 6. There are no pending disciplinary proceedings or criminal charges against me in any State or Federal Court.
- 7. I will faithfully adhere to the federal and local rules, practices and customs of this Court, including the New York State Lawyer's Code of Professional Responsibility and the Rules of Professional Conduct of the American Bar Association.
- 8. Wherefore, and pursuant to Rule 1.3(c) of the Local Civil Rules of the United States District Court for the Southern District of New York, it is respectfully requested that I be permitted to appear as counsel and advocate *pro hac vice* in this case on behalf of Third Party Defendant, RichFX, Inc.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 23, 2006

George Medlock, Jr.



#### **CERTIFICATE OF GOOD STANDING**

UNITED STATES OF AMERICA }	•
)	SS
NORTHERN DISTRICT OF GEORGIA	

I, Luther D. Thomas, Clerk of the United States District Court for the Northern District of Georgia,

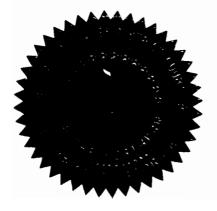
DO HEREBY CERTIFY that GEORGE D. MEDLOCK JR., State Bar No. 500770, was duly admitted to practice in said Court on April 29, 2002, and is in good standing as a member of the bar of said Court.

Dated at Atlanta, Georgia, this 26th day of April, 2006.

LUTHER D. THOMAS **CLERK OF COURT** 

By:

Deputy Clerk





# District of Columbia Court of Appeals Committee on Admissions 500 Indiana Avenue, N.W. — Room 4200 Washington, D. C. 20001 202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

George D. Medlock, Jr.

was on the $4^{\text{th}}$ day of Octobe	er, 2004
duly qualified and admitted as an	attorney and counselor and
entitled to practice before this	Court and is, on the date
indicated below, an active member in	good standing of this Bar.
	In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on April 26, 2006.
	GARLAND PINKSTON, JR., CLERK  By:  Deputy Clerk

#### **CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the within and foregoing Notice of Motion, Declaration of Robert E. Hanlon, Declaration of George Medlock, Jr., and Order Admitting George Medlock, Jr. Pro Hac Vice via overnight delivery addressed to all counsel of record as follows:

Randy Lipsitz, Esq. Richard L. Moss, Esq. KRAMER LEVIN NAFTALIS & FRANKEL LLP 1177 Avenue of the Americas New York, New York 10036 Attorneys for Plaintiff Advance Magazine Publishers inc. d/b/a The Condé Nast Publications

Dale Lischer, Esq. T. Hunter Jefferson, Esq. Deborah A. Heineman, Esq. SMITH, GAMBRELL & RUSSELL, LLP Promenade II, Suite 3100 1230 Peachtree Street, N.E. Atlanta, GA 30309-3592

Paul R. Niehaus, Esq. NIEHAUS LLP 230 Park Avenue 10th Floor New York, New York 10169 Attorneys for Activ8now, LLC and Active8media, LLC

This 1<sup>st</sup> day of May, 2006.

NYC01/7811302v1

Third Party Defendants

### UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ADVANCE MAGAZINE PUBLISHERS INC. d/b/a THE CONDÉ NAST PUBLICATIONS, Plaintiff, CIVIL ACTION NO.: 1:05-cv-07516-(KMK)(DFE) v. ACTIV8NOW, LLC and ACTIVE8MEDIA, : ORDER ADMITTING GEORGE MEDLOCK, JR. PRO HAC VICE **Defendants Counterclaimants** Activ8now: and Active8media, V. ADVANCE PUBLICATIONS, INC. and RICHFX, INC.,

The motion for admission to practice pro hac vice in the above captioned matter is granted. The admitted attorney, George Medlock, Jr., is permitted to argue or try this particular case in whole or in part as counsel or advocate.

X

An attorney admitted to practice *pro hac vice* is required to pay a \$25.00 attorney admission fee and present this Order to the intake deputy clerk in the Clerk's Office. When paying by mail, return a copy of this Order to the Clerk's Office with the required fee.

NYC01/7809404v1

This Order confirms your appearance as counsel in this case, and it will be entered on the Court's docket. A notation of your admission *pro hac vice* for the above listed case will be made on the roll of attorneys.

The attorney admitted *pro hac vice* must serve a copy of this Order on all other counsel in this case.

United States District Judge

Dated:	New	York,	New	York				
				,	2006			